

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| ----- | x | |
| | : | |
| UNITED STATES OF AMERICA, | : | |
| | : | |
| Plaintiff, | : | <u>DECLARATION OF PUBLICATION</u> |
| | : | |
| -v.- | : | 22 Civ. 10148 (JMF) |
| | : | |
| \$5,379,876.94 in United States currency formerly | : | |
| on deposit in Sunflower Bank, N.A. Account | : | |
| 1101996560, held in the name of "OFAC | : | |
| Blocked Account Malofeyev," | : | |
| | : | |
| Defendant- <i>in-rem</i> . | : | |
| ----- | x | |

I, Thane Rehn, pursuant to Title 28, United States Code, Section 1746, hereby declare under penalty of perjury that:

1. I am an Assistant United States Attorney in the office of the United States Attorney for the Southern District of New York, and
2. Attached to this declaration are (A) a true and correct copy of a notice of civil forfeiture in this action, and (B) a true and correct copy of an Advertisement Certification Report, indicating that the aforementioned notice was posted on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days, beginning on December 3, 2022, for thirty (30) consecutive days, through January 1, 2023 as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

Both documents were obtained from a Consolidated Asset Tracking System maintained by the Department of Justice.

Dated: New York, New York
January 27, 2023



Thane Rehn
Assistant United States Attorney

Attachment 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
COURT CASE NUMBER: 22 CIV. 10148 (JMF); NOTICE OF FORFEITURE ACTION**

Pursuant to 21 U.S.C. § 853, the United States filed a verified Complaint for Forfeiture against the following property:

\$5,379,876.94 in United States currency formerly on deposit in
Sunflower Bank, N.A. Account 1101996560, held in the name of "OFAC Blocked
Account Malofeyev" (22-FBI-003657);

Any person claiming a legal interest in the Defendant Property must file a verified Claim with the court within 60 days from the first day of publication (December 03, 2022) of this Notice on this official government internet web site and an Answer to the complaint or motion under Rule 12 of the Federal Rules of Civil Procedure within 21 days thereafter. 18 U.S.C. § 983(h)(1) permits a court to impose a civil fine on anyone asserting an interest in property which the court determines was frivolous.

The verified Claim and Answer must be filed with the Clerk of the Court, United States District Court, 500 Pearl Street, Room 120, New York, NY 10007, and copies of each served upon Assistant United States Attorney Nathan Rehn, One St. Andrew's Plaza, New York, NY 10007, or default and forfeiture will be ordered. See, 18 U.S.C. § 983(a)(4)(A) and Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

The government may also consider granting petitions for remission or mitigation, which pardon all or part of the property from the forfeiture. A petition must include a description of your interest in the property supported by documentation; include any facts you believe justify the return of the property; and be signed under oath, subject to the penalty of perjury, or meet the requirements of an unsworn statement under penalty of perjury. See 28 U.S.C. Section 1746. For the regulations pertaining to remission or mitigation of the forfeiture, see 28 C.F.R. Sections 9.1 - 9.9. The criteria for remission of the forfeiture are found at 28 C.F.R. Section 9.5(a). The criteria for mitigation of the forfeiture are found at 28 C.F.R. Section 9.5(b). The petition need not be made in any particular form and may be filed online or in writing. You should file a petition not later than 11:59 PM EST 30 days after the date of final publication of this notice. See 28 C.F.R. Section 9.3(a). The <https://www.forfeiture.gov/FilingPetition.htm> website provides access to a standard petition form that may be mailed and the link to file a petition online. If you cannot find the desired assets online, you must file your petition in writing by sending it to Assistant United States Attorney Nathan Rehn, One St. Andrew's Plaza, New York, NY 10007. This website provides answers to frequently asked questions (FAQs) about filing a petition. You may file both a verified claim with the court and a petition for remission or mitigation.



Advertisement Certification Report

The Notice of Publication was available on the www.forfeiture.gov web site for at least 18 hours per day between December 3, 2022 and January 01, 2023. Below is a summary report that identifies the uptime for each day within the publication period and reports the results of the web monitoring system's daily check that verifies that the advertisement was available each day.

U.S. v. All monies and funds contained in or traceable..

Court Case No: 22 CIV. 10148 (JMF)
For Asset ID(s): See Attached Advertisement Copy

| Consecutive Calendar Day Count | Date Advertisement Appeared on the Web Site | Total Hours Web Site was Available during Calendar Day | Verification that Advertisement existed on Web Site |
|--------------------------------|---|--|---|
| 1 | 12/03/2022 | 23.9 | Verified |
| 2 | 12/04/2022 | 23.9 | Verified |
| 3 | 12/05/2022 | 23.9 | Verified |
| 4 | 12/06/2022 | 23.9 | Verified |
| 5 | 12/07/2022 | 23.9 | Verified |
| 6 | 12/08/2022 | 23.9 | Verified |
| 7 | 12/09/2022 | 23.9 | Verified |
| 8 | 12/10/2022 | 23.9 | Verified |
| 9 | 12/11/2022 | 23.9 | Verified |
| 10 | 12/12/2022 | 23.9 | Verified |
| 11 | 12/13/2022 | 23.9 | Verified |
| 12 | 12/14/2022 | 23.9 | Verified |
| 13 | 12/15/2022 | 23.9 | Verified |
| 14 | 12/16/2022 | 23.8 | Verified |
| 15 | 12/17/2022 | 23.9 | Verified |
| 16 | 12/18/2022 | 24.0 | Verified |
| 17 | 12/19/2022 | 23.8 | Verified |
| 18 | 12/20/2022 | 23.8 | Verified |
| 19 | 12/21/2022 | 23.9 | Verified |
| 20 | 12/22/2022 | 23.9 | Verified |
| 21 | 12/23/2022 | 23.8 | Verified |
| 22 | 12/24/2022 | 23.9 | Verified |
| 23 | 12/25/2022 | 23.9 | Verified |
| 24 | 12/26/2022 | 23.9 | Verified |
| 25 | 12/27/2022 | 23.9 | Verified |
| 26 | 12/28/2022 | 23.9 | Verified |
| 27 | 12/29/2022 | 23.9 | Verified |
| 28 | 12/30/2022 | 23.9 | Verified |
| 29 | 12/31/2022 | 23.9 | Verified |
| 30 | 01/01/2023 | 23.9 | Verified |

Additional log information is available and kept in the archives for 15 years after the asset has been disposed.